

CONSTITUTION



MUTTAHIDA QUAMI MOVEMENT PAKISTAN

As amended on 19 February 2021

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THE CONSTITUTION OF MUTTAHIDA QUAMI MOVEMENT PAKISTAN

PREAMBLE

WHEREAS Pakistan was created in 1947 with a view to provide a homeland for the Muslims of the Sub-continent of India. In which it was ordained by the framers of the Constitution that the principles of Islam, liberty, equality, democracy, tolerance, political justice and freedom of thought, expression and belief will be available to all without any distinction of caste, creed, sex, religion or sect, and

WHEREAS the will of the People of Pakistan to establish an Order in which the State shall exercise its powers and authority through the chosen representatives of the People so fundamental principles of democracy, tolerance and equality before the law can be observed, and

WHEREIN proper provisions shall be made for all non-Muslims and ethnicities to freely profess their religions, practices and culture;

AND WHEREAS it is necessary for the achievement to such goals to create a true democratic system in which the general masses of the country can decide their own destiny and future through legislative bodies elected by them.

SO THAT the People of Pakistan can prosper and attain their rightful and honored place in nations of the world and make their full contribution towards international peace, progress and happiness of humanity.

AND in which Fundamental Rights of the People or the country and the supremacy of the Rule of Law can be fully guaranteed and enforced through an independent judiciary;

NOW, THEREFORE, we the signatories of this constitution of the Muttahida Qaumi Movement Pakistan give to the people of Pakistan the creation of a political party namely Muttahida Qaumi Movement Pakistan hereinafter called "MQM Pakistan", which will work to achieve the aforesaid goals according to the provisions of this instrument.

ARTICLE 1 - TITLE

- (a) It shall be called the Constitution of Muttahida Qaumi Movement Pakistan*;
- (b) It extends to whole of Pakistan **;
- (c) It shall come into force at once ***.

* Word Pakistan at (a) of Article-1 inserted.

** Words at (b) of Article-1 inserted

*** Words at (c) Ibid.


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ARTICLE 2 - CENTRAL OFFICE:

The Central Office of MQM Pakistan shall be situated in Karachi, Pakistan, the Central Coordination Committee of the Party may decide the exact location and change it whenever it deem it necessary. The Committee may also declare any office or location to be the Party's Temporary Office.*

ARTICLE 3 - DEFINITIONS:

Unless there is anything repugnant to the subject of the context:-

- (a) Pakistan "Nation" shall mean the people of Pakistan including of Punjabis, Sindhis, Pukhtoons, Balochis, Mohajirs, Sariakis, Kashmiris, and other communities such as Gilgiti Baltistani and Hazarwals living in the country.
- (b) Movement shall mean Muttahida Quami Movement Pakistan, hereinafter referred to as MQM (P). It shall work as a political party in Pakistan as permitted by the Constitution and the Law of Pakistan.
- (c) Country shall mean the Islamic Republic of Pakistan as defined in Article (1) of the Constitution of Pakistan, 1973.
- (d) Committee shall mean the Central Coordination Committee of MQM (P)**, hereinafter called as Committee.
- (e) "CEC" shall mean the Central Executive Council of MQM (P).
- (f) "Wings" shall mean various administrative departments of the Party.
- (g) "Member" means a law abiding Pakistani citizen living in Pakistan or abroad who join the party through a set procedure***.

ARTICLE 4 - AIMS AND OBJECTIVES:

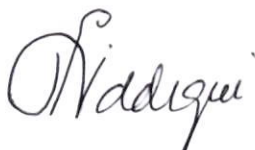
The aims and objectives of the Party shall be as under:-

- (a) To ensure security of economic, financial, educational, political, healthcare and social interests of the People of Pakistan.
- (b) To establish true democracy in the country by encouraging the people of Pakistan to participate at all levels of elections.
- (c) To promote unity and solidarity amongst the diverse ethnicities living in Pakistan and to eliminate discrimination of any kind.
- (d) To ensure for the complete legal protection of all citizens as envisaged by the Constitution of Pakistan.
- (e) To work for the creation of more provinces within the Federation for prosperity of the people.

*Substituted by changing the address

** Alphabet "P" inserted after word "MQM"

*** Clause (g) inserted in Article 3 of the Constitution.


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- (f) To undertake any other work in furtherance of the aims and objectives of the Constitution as decided by the Committee from time to time.
- (g) The electoral rights of overseas Pakistanis shall be protected and right to vote their right besides participates as candidate must be observed and respected.*

ARTICLE 5-FUNDS:

The Party shall raise funds through subscription namely Muttahida Quami Fund (MQF) hereinafter called "MQF" through its members, workers, supporters, voluntary donations as permitted by law and through other lawful sources as allowed by the laws of the country for its functioning and to provide assistance to the people.

ARTICLE 6 - ORGANIZATION AND MANAGEMENT:

The Central Co-ordination Committee at the Federal level, Provincial level and local levels through the Central Executive Council and Wings/Committees shall administer the management and organization of the Party.

- (a) The management of the Party shall be administered by the Committee comprising of the following office bearers:

[Convener	One.]
[Senior Deputy Convener	minimum One and maximum as many as required.
[Deputy Convener	minimum Two & maximum as many as required.
[Members	minimum fifteen & maximum as many as required.

** Provided in the absence of Convener, the senior most Senior Deputy Convener will perform the duties of Convener and the senior most Deputy Convener will perform the duties of Acting Senior Deputy Convener.

- (b) The Province of Sindh shall except Karachi be administered through Divisional Committees and District Committees while the Provinces of Punjab, KPK, Balochistan, Gilgit Baltistan and Azad Kashmir shall be administered through its respective Provincial Committees which comprises of the following office bearers under the supervision and control of Committee:

Organizer	One
[Joint Organizer	Minimum one and maximum as many as required] ¹
[Member	Minimum Seven & maximum as many as required.] ¹

* Sub-clause (g) inserted in Article 4.

** Proviso to sub-clause (a) of Article 6 inserted.


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- (c) At Local levels Sub-committees would have the following position comprising of:

District/Zonal In-charge	One
[Joint Organizer	Minimum One & Maximum as many as required.] ¹
[Members	Minimum Seven & Maximum as many as required.] ¹

- (d) (i) For Karachi there shall be a Divisional Organizing Committee and six (06) District Committees. They shall comprise of the following positions:

In-charge	One
[Joint In-charge	Minimum One & Maximum as many as required. ^{delimited}] ¹
[Members	Minimum Seven & Maximum as many as required.] ¹

- (ii) That it will organize and deal with all issues of 26 Town Committees comprising 209 Union Committees of Karachi Division.

- (e) Any other Sub-Committees may be formed by the decision of the Committee.
- (f) All the Sub-Committees set-up under this Constitution shall submit their reports to the Committee which after due consideration shall decide upon the desired course of actions.
- (g) The Central Coordination Committee shall run the administrative and political functions of the Party through various wings from its Party's Central Office.
- (h) The Party shall have advisory, consultative and formulating units comprising members of Central Executive Council (CEC), Central Executive Council (CEC) and Wings of the Party housed at its Central Office.
- (i) The Committee may authorize the creation of Overseas Units of the Party with a view to provide the people of Pakistan living abroad to be able to participate in the affairs of the party. The system of administration of these Units shall follow the same pattern as being practiced by the MQM Pakistan within Pakistan. **
- (j) The general workers meeting of the party shall be deemed to the General Assembly of the party with powers to allow or regularize adhoc and interim changes in the organization or party structure and inclusion or removal of any office bearer, except the Convener, Senior Deputy Convener(s) and Deputy Convener(s) but includes the elected office bearer.***

ARTICLE 7 - DUTIES AND FUNCTIONS OF THE OFFICE BEARERS:

- (a) **Convener**

The Convener shall preside over all meetings of the Committee and shall exercise his casting vote in the event of a tie. He shall be the Party Leader of MQM Pakistan*.

- (b) **Senior Deputy Conveners**

The Senior Deputy. Convener will preside over all the meetings of the committee, in the absence of the Convener and may act as "Acting Convener" to deal with all the matters related to political and electoral exercise.

- (c) **Deputy Conveners**

They shall assist the Convener in the discharge of his official duties.

* Word "Pakistan" inserted

** sub-clause (i) inserted

*** addition in sub-clause (j) of Article 6.


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(d) **Members**

They shall assist the Deputy Conveners in the discharge of their official duties.

(e) **Finance**

The Convener may appoint any member who shall be responsible for up- keeping and maintenance of the accounts of the Movement and to receive funds and deposit the same in the Banks and established financial institutions.

ARTICLE 8 - MEMEBRSHIP:

- (a) Every citizen of Pakistan, not being in the service of Pakistan, shall be eligible for membership of the Party and may be elected as an office bearer or take part in the political activities of the Party. However, membership is subject to approval by the Committee.
- (b) A member of MQM Pakistan* shall not be a member to other political or religio-political parties.
- (c) A member of the MQM Pakistan shall be required to pay a membership fee as determined by the Committee periodically. In addition, a member may also make voluntary contributions.
- (d) All the Membership forms shall be kept, after approval by the Deputy Convener of the party authorized in this behalf for record.

ARTICLE 9 - POWERS AND FUNCTIONS OF THE CENTRAL COORDINATION COMMITTEE.

- (a) The Committee shall be the highest policy and decision making organ of the Party. Its decision shall be binding on all party organs and members. Ordinary decisions shall be made by a simple majority of members present in a scheduled meeting. While in the important and major policy decisions 2/3rd majority of the Committee shall be required.
- (b) "Omitted" **
- (c) To take all necessary steps for giving practical effect to resolutions passed and instructions issued by the Committee from time to time and ensure the effective implementation of the party manifesto.
- (d) To maintain complete record of the membership of the Party.
- (e) To collect all the information which is necessary and useful for furtherance of the aims and objectives of the Party.
- (f) To take decisions for convening meetings of the Wings as and when deemed necessary.

* Word "Pakistan" inserted.

** "The words substituted by first constitutional amendment, dated 23rd April 2016" omitted.


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- (g) To supervise and monitor the working of the Wings / Sub-committees and to assist them whenever requested.
- (h) The Committee shall frame Rules, Regulations and necessary Guidelines for implementing the policies and decisions of the Party.
- (i) Till the holding of regular elections in the party, the Committee by a 2/3rd majority shall have power to do the following: *
 - (i) fill any existing vacant office;
 - (ii) remove any office bearer;
 - (iii) induct or remove any person as a member of the party or member of the Committee or member of the Senate or member of the National Assembly of the Pakistan or member of the Provincial Assembly of concerned province and member of the Local Government Councils of concerned province; ***
 - (iv) take any other step or decision, which is necessary in the interest of the Party.

ARTICLE 10 - AMENDMENTS:

No rules and Regulations or any part of this Constitution shall be rescinded or amended except by a 2/3rd vote of the Committee.

ARTICLE 11 - OFFICES:

The Central Office of the party shall be in Karachi. Other offices may be opened by the Committee from time to time.

ARTICLE 12 - PRINCIPLES OF POLICY:

- (a) As a political party the MQM Pakistan shall work for the establishment of just and a participatory democratic system of Government in Pakistan.
- (b) The MQM Pakistan** is a peace-loving organization and believes in the Fundamental and Human Rights as enunciated in the Constitution of Pakistan 1973- and the Universal Declaration of Human Rights.
- (c) The MQM Pakistan believes in a democratic setup ensuring a dignified and respectful coexistence of the general masses of the country irrespective of their caste, creed, sex, religion or sect.
- (d) The MQM Pakistan firmly believes in the abolition of feudal system, bonded labour, karo-kari practices and shall undertake steps to put an end to it and establish an "Egalitarian Order" in Pakistan.

*Sub-clause (i) of Article-9 inserted.

**Sub-para (b) of Article-12 word "Pakistan" inserted.

*** addition in sub-clause (I) (iii) of Article 9.


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ARTICLE 13 – PARTY ELECTION:

- (a) All Party offices shall be filled by elections of the members after every four years.
- (b) Until regular election are held, the committee shall fill existing vacant offices by a decision of at-least 2/3rd majority.

ARTICLE 13-A - NOTICE OF MEETING:

- (a) Every ordinary meeting may be held at a notice of three days.
- (b) An emergent meeting may be held at a notice of six hours.
- (c) Annual General Meeting may be held at a notice of seven days.

ARTICLE 14 - ANNUAL GENERAL MEETING:

The Party shall convene an Annual General Meeting on Federal, Provincial and Local levels.

ARTICLE 14-A - OFFICE TENURE:

- (a) Every office holder shall hold his office for a period of 4 years from date of Notification.
- (b) The Party shall convene a meeting after every four years in which the committee shall decide that how many office bearers and members shall be elected in Intra-Party Elections for Party offices at all levels.

ARTICLE 15 - DISCIPLINARY ACTION:

- (a) The Accountability Cell shall be constituted by the Committee.
- (b) If the committee feels that a member has violated the declared policy decision, rules and regulations of discipline of the party a disciplinary action can be taken against that member by issuing him/her a show cause notice to be followed by a hearing to be conducted by members of the Sub-Committee, constituted by the Central Co-ordination Committee. If the said Sub-committee is dissatisfied with the response of the said member, it shall forward its recommendations to Central Coordination Committee for the final decision. In either case the aggrieved member, if he/she so choose has right to appeal to the entire committee whose decision on this matter shall be final.

If the elected member(s) of the Senate of Pakistan, National Assembly of Pakistan, Provincial Assemblies of Pakistan and Local Governments are elected on party ticket and desert or defect the party, that is leave the party or join other party or violate the policy decisions, rules, regulations and discipline of the party and dismissed from., the party, same or another similar the committee shall also deal the issue according to the Party' Constitution, Constitution of Pakistan, Election Act 2017 and Local Government Acts of the concerned Province of Pakistan.**

** Clause (a) of Article 15 is inserted


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ARTICLE 15-A - VOTING AGAINST PARTY POLICY

MQM Pakistan believes in transparency and accountability and believes that elected representatives must adhere to party policy when voting for money bills, proposed legislation and senate elections.

Voting by an elected member of any House against party policy shall be construed as gross misconduct and disciplinary action under article 15 shall be taken against such delinquent member. *

ARTICLE 15-B

For the purposes of senate elections, the party shall convene a sub committee under Convenor, comprising of other members with the approval of committee.

The decision of which candidate for the senate to support shall be made within the sub committee and ratified by the Convenor and a derogation from the decided vote shall be seen as a violation of party policy and discipline for the purposes of article 15.**

ARTICLE 16 - QUALIFICATION OF THE PARTY LEADER AND OFFICE BEARER.

- (a) Shall be 18 years or above.
- (b) Shall be a Pakistani citizen.
- (c) Shall be a member of the Party.
- (d) Shall be of a good character.
- (e) Shall be ineligible if he holds dual nationality.

ARTICLE 17 -INTRA-PARTY DISPUTES:

If a Party member has any complaint against any office bearers, he may submit his complaint in writing to the Committee. The Committee thereupon shall constitute a Sub-Committee to investigate, undertake a proper hearing and forward its recommendations to the Committee for the final decision. In either case the aggrieved member if chooses has a right to appeal to the entire Committee whose decision with two third majority on this matter shall be final.

ARTICLE 18-ELECTION PROCEDURE:

- (a) Election to Provincial, Divisional and District Committees shall be held every four years through secret balloting. The candidates securing highest votes in descending order shall be deemed to have been elected for the offices as provided under Article 6 of the constitution.
- (b) The elected members of Central Coordination Committee would be eligible to contest the election for the post of Convener, Senior Deputy Convener(s) and Deputy Conveners.
- (c) The post of Convener, Senior Deputy Convener(s) and Deputy Conveners shall be elected, by the members of the Central Coordination Committee with a simple majority votes.

* Article 15-A inserted

** Article 15-B inserted


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- (d) *The Deputy Conveners, as provided under Article-6 or as decided in four yearly Election Meeting by the committee, shall then be elected by the members elected for Central Coordination Committee with a simple majority votes.
- (e) All the members enrolled in any Province would be eligible to vote for the respective Provincial Committees.
- (f) All the members enrolled in any Division / District / Zones would be eligible to vote for their respective Committees.
- (g) The Committee shall constitute an Election Commission to conduct the process of election.

ARTICLE 19 - PROCEDURE OF SELECTION OF THE PARTY CANDIDATE:

The Central Coordination Committee shall form a Central Parliamentary Board for the selection of the candidate for the Senate, National and Provincial Assemblies and Local Bodies. This Central Parliamentary Board would be assisted by the Provincial / Divisional / Zonal Parliamentary Boards constituted by the Committee. The Central Parliamentary Board having finalized the list of the candidates shall present the list before the committee for the final decision.

ARTICLE 19A - PARTY TICKET:

- (a) The Candidates for the Senate, National Assembly, Provincial Assembly and Local Bodies finally selected by the Committee shall be eligible for the "Party Ticket" to contest the Election for the respective seat / seats for which the candidates are finalized by the Committee to contest the election from Party Platform. The Party shall not charge any fee, donation or any kind of contribution towards party funds in respect of "Party Ticket".
- (b) MQM Pakistan shall have "KITE" as its symbol in the General Elections and Local Government Election.

* Clause (d) of Article 18 is omitted and substituted by this new clause

* Inserted Clause (b) in Article 19A


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